

United States District Court
for the
NORTHERN DISTRICT OF ALABAMA

FILED

2020 NOV 13 P 1:30

U.S. DISTRICT COURT
N.D. OF ALABAMA*Plaintiff,*

(Write your full name. No more than one plaintiff may be named in a pro se complaint)

Haily Boothe
v.
Circle K Inc.

Case No.

220-01-1801-SGC
(to be filled in by the Clerk's Office)JURY TRIAL ☐ Yes ☐ No*Defendant(s),*

(Write the full name of each defendant who is being sued. If the names of all defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names)

COMPLAINT FOR EMPLOYMENT DISCRIMINATION**I. The Parties to This Complaint****A. The Plaintiff**

Name

Haily Boothe

Street Address

605 Bth Ave SW

City and County

Auburn, AL 36807

State and Zip Code

Shelby County

Telephone Number

251-362-1014

E-mail Address (if known)

msbtt77@gmail.com



Check here to receive electronic notice through the e-mail listed above. By checking this box, the undersigned consents to electronic service and waives the right to personal service by first class mail pursuant to Federal Rule of Civil Procedure 5(b)(2), except with regard to service of a summons and complaint. The Notice of Electronic Filing will allow one free look at the document, and any attached PDF may be printed and saved.

Date

11/13/2020

Participant Signature

Haily Boothe

II. Basis for Jurisdiction**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

Defendant No. 1

Name Circle K Inc.
 Job or Title (*if known*) N/A
 Street Address 1107 Townhouse Rd
 City and County Helena, Shelby
 State and Zip Code Alabama, 35007
 Telephone Number 205-604-5747
 E-mail Address (*if known*) N/A

Defendant No. 2

Name Kimberly Rachel
 Job or Title (*if known*) Store Manager
 Street Address 1107 Townhouse Rd
 City and County Helena, Shelby
 State and Zip Code Alabama, 35007
 Telephone Number 205-306-2370
 E-mail Address (*if known*) N/A

Defendant No. 3

Name David Beach
 Job or Title (*if known*) District Manager
 Street Address 1107 Townhouse Rd
 City and County Helena, Shelby
 State and Zip Code Alabama, 35007
 Telephone Number 205-577-1013
 E-mail Address (*if known*) N/A

Defendant No. 4

Name _____
Job or Title (*if known*) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address (*if known*) _____

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is:

Name _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to (*check all that apply*):



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)

- ☐ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☐ Other federal law *(specify the federal law):*

Relevant state law *(specify, if known):*

Relevant city or county law *(specify, if known):*

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- ☐ Failure to hire me
- ☒ Termination of my employment
- ☐ Failure to promote me
- ☐ Failure to accommodate my disability
- ☐ Unequal terms and conditions of my employment
- ☒ Retaliation
- ☐ Other acts *(specify):* _____

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s):
~~XXXXXXXXXX~~ NOVEMBER 2019 - JANUARY 2020

C. I believe that defendant(s) (check one):

☐ is/are still committing these acts against me

☒ is/are not still committing these acts against me

D. Defendant(s) discriminated against me based on my (check all that apply and explain):

☐ race

☐ color

☒ gender/sex

☐ religion

☐ national origin

☐ age (year of birth)

(only when asserting a claim of age discrimination)

☒ disability or perceived disability (specify disability)

pregnancy.

E. The facts of my case are as follows. Attach additional pages if needed.

See Attached papers

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on (date): MAY 2020

B. The Equal Employment Opportunity Commission (check one):

☐ has not issued a Notice of Right to Sue letter

☒ issued a Notice of Right to Sue letter, which I received on (date): _____

SEPTEMBER 2020

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

C. Only litigants alleging age discrimination must answer this question:

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct (check one):

☒ 60 days or more have elapsed

☐ less than 60 days have elapsed

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

BACK PAY: \$300,000

VI. Certification and Closing

Under Rule 11 of the Federal Rules of Civil Procedure, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of Signing: 11/13/2020

Signature of Plaintiff: 

Printed Name of Plaintiff: Haley Boothe

B. For Attorneys

Date of Signing: _____

Signature of Attorney: _____

Printed Name of Attorney: _____

Bar Number: _____

Name of Law Firm: _____

Street Address: _____

State and Zip Code: _____

Telephone Number: _____

E-mail Address: _____